

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**



**ADVISORY OPINION NO. 229**

This is in response to a request for advice from the Ethics Commission [Commission] regarding the handling of a disciplinary matter by the Honolulu Police Department [HPD].

The Commission understands the facts relative to your inquiry to be as follows:

Members of your family own a business which has been in operation for several years and which operates out of your home. While you have helped out the firm in various ways, you have never received a salary for your work.

Over a year ago, you were suspended for twenty days by HPD for matters associated with your relationship to this business. In recent months, you were served with a document entitled, Notification of Pending Termination, from HPD.

You believe that you are being penalized solely for residing under the same roof as your relatives who own this business.

At no time have you filed a request for authorization of outside employment in regard to this business. Since you have not filed such a request, there has been no denial of authorization for outside employment by HPD.

The issue you are raising is whether the Honolulu Police Department has unfairly treated you in regard to your relationship to your relatives' outside business.

The Ethics Commission believes that this is an internal disciplinary matter of HPD over which the Commission has no jurisdiction. Although the SHOPO (State of Hawaii Organization of Police Officers) contract provides that officers may appeal to the Ethics Commission of the City and County of Honolulu the Chief's decision to deny authorization for outside employment, in this case there is no decision on outside employment to appeal.

Dated: May 17, 1993

BONIFACE K. AIU  
Chair, Ethics Commission